

REMARKS

Replacement drawing sheet 1 is enclosed. The revised Figure 1 is labeled as "Prior Art."

No new matter is added.

Claims 1, 2, 4, 14, 15, 18-20, 22, 25, and 28 are amended herein, without the addition of new matter. Claims 2, 4, 15, 18, 20, 22, and 28 are amended to correct antecedent basis objections; these amendments moot the 35 U.S.C. § 112 rejections, which must be withdrawn. Claims 1, 14, 19, and 25 are amended to recite to that an affinity group of windows includes windows associated with different applications. Support for these amendments is found at least at Figure 2, and the accompanying text at ¶ 0014, depicting an affinity group comprising a window 40 associated with a word processor application, a window 36 associated with an Internet browser application, and a window 38 associated with an e-mail client application. Claims 1-28 are now pending, and are in condition for allowance.

The Examiner rejected claims 1, 14, 19, and 25 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,995,103 to Ashe. "[A] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Ashe fails to disclose every element of claims 1, 14, 19, or 25.

Ashe discloses a window grouping mechanism for manipulating and displaying groups of windows – all of the windows associated with the same application program – via a series of linked data structures. Window groups may include subsets of previously defined window groups, allowing for various permutations of window grouping. Ashe discloses only grouping a plurality of windows associated with one application. *See, e.g.*, Figures 2, 3, and 4, each

depicting a single application's interaction with a window manager and/or window object. "[T]he present invention relates to a method and apparatus for creating, manipulating and displaying windows associated with an application program by groups." col. 1, lines 10-13.

Ashe's invention is directed to the clutter generated by a single application program that spawns a large plurality of windows. For example, Figure 6A depicts a drawing program main window 606, and associated tool windows 608, 610. Ashe describes the problem associated with multi-window applications such as this, at col. 11, lines 9-23:

In prior systems, selection of a window by an application program typically results in the entire layer of windows associated with that application being simultaneously displayed on the screen 135. Because many document and palette windows are often unrelated to the particular task requested by the user, such an application-specific layering and displaying of windows often manifests as a crowded and inefficient window environment for the user. Nonetheless, since the prior art did not have the capability of creating or displaying groups of windows containing less than the entire layer of windows, users were prevented from customizing their display environments to eliminate these unrelated windows.

Ashe defines a "layer of windows" at col. 1, lines 62-62: "A window layer is simply a set of all the windows associated with a single application program." Thus, "displaying groups of windows containing less than the entire layer of windows" means displaying groups of windows containing less than all the windows associated with a single application program. After creating the group, a user may bring to the front of the screen only those windows of an application pertinent to the task at hand, without having to suffer the clutter of all of the application's windows rising together. Ashe is completely silent as to any grouping of windows associated with different applications.

That Ashe's window management system is directed solely to each single application is further apparent by viewing the implementation mechanism. Ashe discloses creating a master application window list that maintains information relevant to every window created by a single application. *See* Figure 7. Individual windows from the master application window list may be associated in groups via linked lists. *See* Figure 8. These data structures are manipulated via

the application programming interface (API) calls listed at col. 11, lines 43-62. These calls are made by application programs. For example, "To organize a selected set of windows into a window group, the NewWindowGroup method may be invoked. An identifying reference, such as newGroup, is preferably assigned to identify the new window group and is subsequently maintained by the application program 302." col. 11, lines 63-67.

Those of skill in the art understand that separate applications are executed by an operating system in separate virtual memory spaces, with files, buffers, variables, data structures, and the like, carefully segregated. Accordingly, those of skill in the art will readily recognize that it would be virtually impossible for separate applications to coordinate their window management actions through API calls, to create and manage groups of windows associated with separate applications. Ashe's window groups are limited to subsets of the windows generated by a single application.

The independent claims are amended herein to recite affinity groups of windows that include windows associated with at least two different applications. Users may create groups of windows from different applications that are task related, and may then easily manipulate the selection and placement of these groups of windows, without having to individually manipulate each one. For example, Figure 2 and ¶ 0014 describe a real-world application of the claimed invention: a user writing a report. The user types the report into a word processor application window 40, conducts research for the report in an Internet browser window 36, and communicates with colleagues about the research in an e-mail client window 38. "According to the present invention, the user may create an affinity group comprising the windows 36, 38, 40, and "pop" the group of windows the top of the GUI environment simultaneously, whenever one of the windows 36, 38, 40 is selected." This is in sharp contrast to the ability to "pop" a subset of the windows associated with a single application, which merely reduces screen clutter.


Note that the ability to selectively control windows associated with separate applications provides real-world functionality above and beyond the mere convenience in avoiding window clutter provided by Ashe's disclosure. Accordingly, the ability to create groups including windows associated with different applications is not merely an obvious design choice, but rather provides an entire new level of functionality that Ashe does not teach or suggest.

For at least the reason that Ashe fails to disclose creating an affinity group of windows, the group including windows associated with different applications, and manipulating the windows together as a group, the § 102 rejections of claims 1, 14, 19, and 25 are improper and must be withdrawn. All dependent claims include the limitations of their respective parent claim(s), and thus also define patentable novelty over Ashe. The combination of Ashe with U.S. patent no. 5,920,313 to Diedrichsen, *et al.* fails to cure the deficiency of Ashe to disclose the claimed limitations for which it was cited. Accordingly, the § 103 rejections are improper as failing to teach or suggest all claimed limitations, and must be withdrawn.

All pending claims are now in condition for allowance, which prompt action is hereby respectfully requested.

Respectfully submitted,

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A handwritten signature in dark ink, appearing to read "Edward H. Green, III", with a stylized flourish at the end.

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Dated: September 21, 2007

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